

HEALTH AND COMMUNITY SUPPORTS CONTRACT CONTRACT INTERPRETATION BULLETIN

for CY 2003 Contract

CIB #2003-1: Member-Centered Plan Requirements

Final Issued: September 10, 2003

CONTRACT SECTIONS AFFECTED

Article III. B.1. Member Participation

Article III. B.5. Individual Service Plan (ISP)

Article III. B.8.(b)(iii) Member-Centered Plan (MCP) Documentation

STATEMENT OF POLICY

Members shall be given the opportunity to take an active role in decision-making regarding the long-term care and health services they need to live as independently as possible. The CMO interdisciplinary team shall ensure optimum member participation in the development and updating of the member-centered plan (MCP) and individual service plan (ISP).

The Health and Community Supports contract requires the CMO to obtain the member's signature on the initial care plan within 10 days of enrollment. Further, the MCP/ISP, based on the comprehensive assessment, shall be completed within 60 days of enrollment, updated at least every 180 days, and be reviewed with and signed by the member or member's authorized representative. The CMO shall provide the member with a copy of the signed MCP/ISP. The signature is verification that the plan has been reviewed with the member and the member agrees with the plan. The signature requirement protects the member from changes in services that are not agreed to, and also protects the CMO from subsequent claims that the member did not agree to services.

PURPOSE

This Contract Interpretation Bulletin addresses what the CMO should do when the member declines to sign or accept a copy of the MCP/ISP or cases in which obtaining the member's signature and/or leaving a copy of the MCP/ISP with the member would be contradictory to meeting the member's or other clinical outcomes.

CONTRACT INTERPRETATION

1. Member refusal to sign or accept a copy of MCP/ISP
 - a. If a member declines to sign or accept a copy of the MCP/ISP, the CMO shall:
 - i.) Document in the member record the request made to the member to sign and/or accept a copy of the MCP/ISP and the reason(s) for refusal; and
 - ii.) When applicable, facilitate an arrangement by which an authorized representative, (e.g. guardian, power of attorney for health care) retains a copy of the plan to be made available to the member upon request; and
 - iii.) Inform the member of the method by which a copy of the plan can be obtained at any time thereafter from the CMO, at no cost to the member; and
 - iv.) Provide the member with the details of the plan(s) verbally upon request of the member.
 - b. The CMO shall document which method(s) (described directly above) was used to meet requirements related to member signature and plan copy in the member record.
 - c. If the refusal to sign or accept the plan(s) reflects the member's disagreement with the plan(s), the CMO shall discuss the issues with the member, and follow procedures outlined in Article IV.G, *CMO Grievance System*.
2. Exceptions to Providing Member with Copy of MCP/ISP
 - a. If there is documented evidence in the member record, including case notes, or when available, documentation from an outside mental health professional, that obtaining the member's signature and/or leaving a copy of the plan(s) with the member is contradictory to meeting the member's or clinical outcomes, the CMO shall:
 - i.) Document in the member record the specific reasons why the interdisciplinary team and/or outside mental health professional believe that the signature and/or copy of plan requirements should not be met.
 - ii.) Review the MCP/ISP verbally with the member and/or member's authorized representative.
 - iii.) Inform the member that the plan can be reviewed verbally at any time thereafter from the CMO.

- iv.) Inform the member that he/she has the right to grieve or appeal the decision to not leave a copy of the plan(s) with him/her and the CMO shall follow the procedures outlined in Article IV.G, *CMO Grievance System*.
- b. At each subsequent plan review, the CMO shall reevaluate the decision to not obtain the member's signature or leave a copy of the plan(s) with the member. If the decision is to not obtain the member's signature and/or leave a copy of the plan(s) with the member, the procedures outlined directly above shall be followed.